DGA No. 80 of 2003

Hon'ble B.C. Kandpal, J

Heard learned A.G.A. on the delay condionation application and perused the affidavit filed in support thereto.

I find sufficient ground to allow the delay condonation application.

Accordingly, the delay in filing the government appeal is hereby condoned.

This leave to appeal has been filed by the state Government/appellant against the judgment and order dated 08.07.2003 passed by Additional Session Judve/IV th F.TC, Haridwar thereby acquitted the respondent in S.T. No. 485 of 1999 under Section 25 Indian Arms Act.

Feeling aggrieved by the said judgment and order, the state Government/Appellant preferred this appeal before this Court.

Heard learned A.G.A. on the point of admission as well as Sri Rajendra Singh, learned counsel for the respondent and perused the record.

Having considered the arguments advanced by learned A.G.A. for the State/appellant and perusing the entire material available before me, I do not find any illegality, infirmity or incorrectness in the impugned judgment and order passed by the court below. I am in total agreement with the view taken by the court below. The impugned and order does not require any interference. The leave to appeal devoid of any force and is liable to be dismissed.

Accordingly, the leave to appeal is dismissed.

Consequently, the government appeal is also dismissed.

(B.C.K.,J.)

21.11.2007
ASWAL